REMARKS/ARGUMENTS

Claims 1-30 are pending in the present application.

This Amendment is in response to the Final Office Action mailed March 8, 2004. In the Final Office Action, the Examiner rejected claims 1-7, 8, 9-17, 18, 19-27, 28, 29 and 30 under 35 U.S.C. §103(a). Claims 1, 11, and 21 have been amended. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Rejection Under 35 U.S.C. § 103

1. In the Final Office Action, the Examiner rejected claims 1-7, 9-17, 9-29, 29, and 30 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication US2002/0052999 issued to Jahnke et al. ("Jahnke") in view of U.S. Patent No. 6,260,093 issued to Gehman et al. ("Gehman"), claims 1-7, 11-17, 21-27 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,619,661 issued to Crews et al. ("Crews") in view of Gehman, and claims 8, 18, and 28 under 35 U.S.C. §103(a) as being unpatentable over Jahnke in view of Gehman, as applied to claims 1-7, 9-17, 19-27, 29, and 30 above, and further in view of U.S. Patent No. 5,941,968 issued to Mergard et al. ("Mergard"). Applicant respectfully traverses the rejection and contend that the Examiner has not met the burden of establishing a prima facie case of obviousness.

Applicant reiterates the arguments presented in the previous response. Specifically, Applicant contends that Jahnke and Gehman, or Crews and Gehman, taken alone or in combination, at least fails to disclose, suggest or render obvious (1) a processor interface circuit interfacing to a second processor having accessibility to the first and second buses, and (2) an arbitration logic circuit to arbitrate access requests from the first and second processors. Claims 1, 11, and 21, have been amended to provide further specificity to the claim language.

The Examiner states that arbiters/decoders 314 and 316 together read on Applicant's claimed arbitration logic (Office Action, page 8, paragraph 6). Applicant respectfully disagrees. Jahnke merely discloses an AHB bus arbiter/decoder and an HTB bus arbiter/decoder. Jahnke specifically teaches that these two arbiters are different (Jahnke, paragraph [0024]) indicating that they must be separate. Therefore, Jahnke effectively teaches away from the claimed

invention because claims 1, 11, and 21, each recites an arbitration logic circuit to arbitrate access requests from the first and second processor.

The Examiner further states Gehman was used to teach the use of a second processor as the second bus master in Jahnke (Office Action, page 8, paragraph 6). However, since Gehman does not disclose or suggest a processor interface circuit, and both Jahnke and Gehman do not disclose or suggest an arbitration logic to arbitrate requests from the first and second processors, the combination of Jahnke and Gehman fails to disclose the claimed invention. Furthermore, there is not a reasonable chance of success in combining the teachings when both references teach away from the claimed invention.

The Examiner further states that Crews teaches elements 32 and 34 as an arbitration logic to arbitrate access from both processors (Office Action, page 9, paragraph 6). Applicant respectfully disagrees. Crews explicitly teaches that the primary arbiter and the secondary arbiter to work independently in a concurrent mode of arbitration (Crews, col. 3, lines 58-61). Therefore, Crews effectively teaches away from the claimed invention because Crews requires two separate arbiters arbitrating requests from first and second processors separately, not an arbitration logic circuit to arbitrate access requests from both processors as recited in claims 1, 11, and 21.

The Examiner further states that Mergard was used to teach the use of a DMAC in the system of Jahnke (Office Action, page 9, paragraph 6). However, Mergard specifically teaches that the CPU, the DMAC, and the graphics controller share access to a unified system memory through a data bus (Mergard, col. 5, lines 50-54). The DMAC, therefore, has no access to first and second buses, contrary to the claimed invention. The combination of Jahnke and Mergard would teach away from the invention because it would lead to both processors to access to only a single bus, not two buses.

The Examiner failed to establish a prima facie case of obviousness and failed to show there is teaching, suggestion or motivation to combine the references. "When determining the patentability of a claimed invention which combined two known elements, 'the question is whether there is something in the prior art as a whole suggest the desirability, and thus the obviousness, of making the combination.'" In re Beattie, Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 730 F.2d 1452, 1462, 221 USPQ (BNA) 481, 488 (Fed. Cir.

1984). "To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or implicitly suggest the claimed invention or the Examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references." Ex parte Clapp, 227 USPQ 972, 973. (Bd.Pat.App.&Inter. 1985).

In the present invention, the cited references do not expressly or implicitly suggest two bus interface circuits, a processor interface, and an arbitration logic to arbitrates accesses requests from two processors. In addition, the Examiner failed to present a convincing line of reasoning as to why a combination of Jahnke, Gehman, Crews, and Mergard is an obvious application of such an arbitration technique.

Therefore, Applicant believes that independent claims 1, 11, 21 and their respective dependent claims are distinguishable over the cited prior art references. Accordingly, Applicant respectfully requests the rejection(s) under 35 U.S.C. §103(a) be withdrawn.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: May 14, 2004 By _____

Thinh V. Nguyen
Reg. No. 42,034
Tel.: (714) 557-3800 (Pacific Coast)

12400 Wilshire Boulevard, Seventh Floor
Los Angeles, California 90025

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ *deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.*

Date: May 14, 2004

FACSIMILE

☐ *transmitted by facsimile to the Patent and Trademark Office.*

Tu Nguyen May 14, 2004
Date